

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 16-1747

Samuel Zean, on behalf of himself and all others similarly situated

Plaintiff - Appellant

v.

Fairview Health Services, doing business as Fairview Home Medical Equipment

Defendant - Appellee

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:15-cv-03217-PAM)

JUDGMENT

Before LOKEN, MURPHY and KELLY, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

May 26, 2017

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans